

SOUTHWESTERN

LAW SCHOOL Los Angeles, CA

Disability Accommodations Policy (Including Standards for the Study of Law)

Administrative Policy.

Revision history: Formerly a part of the annually revised Student Handbook; established as a standalone policy August 2022; technical revisions made in June 2023; revisions made in August 2024 to update documentation requirements.

Related policies: Academic Disqualification, Academic Probation, and Academic Improvement Program Policies; Academic Policies and Procedures; Attendance Policy; Examination Administration Contingency Plan; Examination Administration Policy; Distance Education Policy for Programs Other Than the Online J.D. Program; Master of Laws Program Policies; Interdisciplinary Programs Policy; Policy to Prevent Discrimination, Harassment, and Retaliation; SCALE Program Policies; Sexual Misconduct Policy; Student Records Policy – FERPA; Website and Digital Accessibility Policy.

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Table of Contents

- A. [Policy Statement](#)
 - B. [Admissions](#)
 - C. [Students Requesting Accommodations](#)
 - D. [Accommodations](#)
 - E. [Required Documentation](#)
 - F. [Bar Examination and the Multistate Professional Responsibility Exam](#)
 - G. [Temporary Accommodations](#)
 - H. [Pregnancy and Pregnancy-Related Accommodations](#)
 - I. [Privacy and Confidentiality of Records](#)
 - J. [Academic Dismissal and Readmission](#)
 - K. [Grievances](#)
 - L. [Additional Resources](#)
 - M. [Policy Revisions](#)
- [Appendix A: Standards for the Study of Law](#)

A. Policy Statement

This policy is designed to ensure that students with disabilities have equal access to educational opportunities, programs and activities, and the physical campus. Our commitment to accessibility extends beyond the physical campus to the Law School's digital environment (e.g., website, learning management system). This policy outlines the procedures for requesting and receiving reasonable accommodations in compliance with applicable state and federal laws, including the California Fair Employment and Housing Act, the Fair Housing Act, the Americans with Disabilities Act (ADA), and Section 504 of the Rehabilitation Act.

The ADA regards an individual as having a disability if they have a physical or mental impairment that substantially limits one or more major life activities, have a history or record of such an impairment (such as cancer that is in remission), or are perceived by others as having such an impairment (such as a person who have scars from a severe burn). Although Southwestern's legal obligations relate to disabilities as defined by the ADA, Law School's practice is to provide accommodations for temporary disabilities when possible.

While Southwestern is committed to providing reasonable accommodations, the Law School reserves the right to deny unduly burdensome accommodations that fundamentally alter the nature or essential curricular components of the program or activity.

B. Admissions

1. Law School Admissions Test (LSAT) requirement

Without exception, Southwestern will not waive the LSAT requirement as the Law School Admission Council provides extensive accommodations for taking the test.

2. Self-identification

Applicants are not required to self-disclose a disability. But applicants who would like Southwestern to consider their disability during the admissions process must disclose the nature of the disability at the time of the application and describe how it affects the student's candidacy.

3. Reconsideration

It is not Southwestern's practice to reconsider rejected applications unless they present new information that did not exist or was not available to the applicant when they applied.

C. Students Requesting Accommodations

Students seeking accommodations must contact the Student Services Office as soon as possible after admission or upon diagnosis of disability. The Accessibility Office within the Student Services Office will process and coordinate accommodations. Students may initiate a request for accommodations at any point during enrollment. Indicating a disability to a faculty or staff member outside the Student Services Office or on the Law

School application or a Law School survey does **not** provide notice of the student's need or request for accommodations. Students who require accommodations are solely responsible for requesting accommodations before academic disqualification or dismissal.

Because of the time needed to arrange accommodations, students must make requests no later than eight weeks before a scheduled exam or eight weeks before the first day of the final exam period. While the Law School will do its best to process a request for accommodations that are submitted beyond the stated deadlines, requests received less than two weeks before the deadline may be denied if there is insufficient time to gather and review the appropriate documentation, evaluate possible accommodations, or implement an accommodation.

Students must provide documentation outlined in Section E. Challenges such as common exam anxiety and chronic lateness will not ordinarily be considered disabilities justifying accommodation.

D. Accommodations

1. Academic accommodations

Academic modifications include reduced course loads, extending the time for graduation, allowing part-time programming, and similar modifications. In appropriate cases, such as a reduced course load, the adjustment will be made in consultation with the appropriate faculty member or administrator.

2. Exam accommodations

Exam modifications may include additional time to take the exam, time for rest breaks, using a reader or scribe, being allowed to eat, a reduced-distraction testing environment, or taking the exam at a time other than the regularly scheduled time. Students requesting certain exam modifications may be asked to speak with the faculty member to learn the exam format to determine the appropriate modification. For example, if the student has difficulty writing but not difficulty reading, the need for additional time would be affected if the exam was in a multiple-choice format or essay format.

For logistical reasons, students receiving exam accommodations will regularly be scheduled with exam start and end times different than those on the official exam schedule. Students should be prepared to start and end their exams earlier or later than the officially scheduled times. In some circumstances, exams may also be scheduled for dates different from what appears on the official exam schedule. Students are expected to make themselves available to accommodate their individual exam schedules provided by the Accessibility Office.

a. *Reduced-distraction testing room*

Southwestern' regularly approves accommodations for a reduced-distraction testing environment when the functional limitations caused by a student's disability prevent them from testing in the regularly scheduled

classroom. The purpose of providing a reduced-distraction testing environment is to increase control over noise and other environmental factors that can impact student performance in a testing situation. A reduced-distraction testing room at Southwestern accommodates up to 10 students simultaneously; each is assigned to an individual workspace with privacy screens. The workspaces are distanced, and students have access to earplugs or other noise-reduction devices.

b. Private testing room

If a student believes they require a testing room accommodation other than a reduced-distraction testing environment, such as a private testing room, they must engage in an interactive process with the Accessibility Office to discuss how the conditions of a reduced-distraction testing environment are not an effective accommodation for the functional limitations caused by their disability. Students must submit documentation from a qualified professional that gives a clear rationale for alternate testing room accommodations based on the student's functional limitations. Details should be specific; general statements such as the student is "easily distracted" or "distracted by others" are insufficient.

3. Auxiliary accommodations

Auxiliary services may include interpreters, note-taking services, readers, assistance with photocopying and library retrieval, and other support services in connection with the academic program. Southwestern does not provide services for students to use for personal reasons. Purchasing special equipment (such as Dragon Naturally Speaking, a Kurzweil Reading Machine, an image enlarger, etc.) to be used for Southwestern-related activities may also constitute an auxiliary service.

Students may obtain occasional assistance in the library by making a specific request to the library staff. Students who require more extensive or regular assistance should make this need known to the Accessibility Office as soon as possible. The Accessibility Office will work with the library staff to facilitate an appropriate assistance schedule.

4. Architectural accommodations

While most aspects of Southwestern's facilities are accessible, some students may have accessibility needs that require pre-arrangement.

- **Parking.** Southwestern has several designated accessible parking spaces near the Law School buildings for individuals with state-issued handicap parking designations.
- **Ramped entrances.** Entrance into Law School buildings is available by ramped access.
- **Accessible restrooms.** Accessible restrooms can be found on every floor of the Westmoreland Building and throughout the Wilshire Building.

- **Classrooms.** All classrooms are accessible, but some may be easier to reach than others. For this reason, students with mobility impairments are requested to contact the Accessibility Office as early as possible in the registration process so that feasible adjustments can be made.

5. Requests to modify the Attendance Policy

Class attendance is a fundamental aspect of legal education. Reduced course loads, extensions of time for graduation, and other accommodations are available accommodations, so it would be extremely rare that modifying the attendance policy would be a necessary reasonable accommodation. The Accessibility Office will generally not waive the Attendance Policy as an accommodation.

6. Service animals

Service animals are dogs individually trained to do work or perform tasks for people with disabilities. Service animals are working animals, not pets. Service animals are permitted to accompany people with disabilities in all areas of campus where community members and visitors are allowed. Other animals, including support or comfort animals, are prohibited in Law School buildings.

Service animals do not need to be pre-approved. However, Southwestern strongly encourages students to voluntarily register their service animals with the Accessibility Office. Registration allows the office to notify relevant staff, faculty, and campus security about the presence of a service animal.

Registration also allows the Accessibility Office to notify appropriate campus partners for safety and emergency support for the animal and student.

Service animals must have a harness, leash, or tether unless the handler's disability precludes the use of tethers or the tether would interfere with the service animal's ability to perform its work or tasks safely. In these cases, the service animal must be under the control of the handler (i.e., voice commands, hand signals, or other effective means).

Southwestern reserves the right to deny access to campus or remove from campus any service animal if (1) the animal is disruptive or out of control and its handler does not take action that is effective to control it; (2) the animal is not housebroken; (3) the animal poses a direct threat to the health or safety of others that cannot be eliminated or reduced to an acceptable level by a reasonable modification to other policies or procedures; or (4) the handler fails to comply with their responsibilities under this policy.

E. Required Documentation

The diagnosis of a disability or condition alone does not automatically qualify an individual for accommodations. Documentation supporting the requested accommodations must indicate that the stated disability substantially limits some major life activity and must reasonably and logically demonstrate the need for accommodations that directly address the disabling condition.

Southwestern reserves the right to deny unduly burdensome accommodations that fundamentally alter the essential curricular components of the program or activity.

All students are held to the same academic performance and behavior standards. The specific standards for the study of law appear in Appendix A.

Southwestern's provision of reasonable accommodations and services is based on assessing the impact of the student's disabilities on their academic performance at a given time in their life. Because accommodation needs can change over time, the documentation must verify the need for accommodations based on the student's current level of functioning within the Law School setting.

1. Students with a prior history of accommodations

Students with a record of prior accommodations approved for another educational program or a high-stakes examination (e.g., LSAT, GRE, GMAT, MPRE, etc.) can request that Southwestern approve the same or lesser accommodations if the following conditions are satisfied:

- Southwestern regularly provides the same or equivalent accommodations;
- The student provides a record of the official approval of the prior accommodations; and
- The student provides a Southwestern Qualified Professional Certification Form or equivalent documentation completed by their medical provider that verifies the need for accommodations based on the student's current level of functioning.

Students requesting accommodations that are new or different from those previously received must submit the following:

- A detailed explanation of why the prior accommodations are insufficient, including any changes in the student's diagnosis or functional limitations.
- Relevant supporting documentation substantiating the student's disability-related functional limitations, their specific access needs, and how those needs relate to the accommodations recommended. Documentation may consist of a comprehensive evaluation; a relevant history; standardized test data from appropriate evaluation instruments; or a written statement describing the applicant's disability, impairment, areas of limitation, effects on activities of daily living, and testing accommodation needs. Self-report questionnaires and interviews are generally insufficient on their own.

2. Students without a prior history of accommodations

Students without a record of prior accommodations are required to provide the following:

- a. Southwestern Qualified Professional Certification Form; and
- b. Relevant supporting documentation substantiating the student's disability-related functional limitations, their specific access needs, and how those needs relate to the accommodations recommended. Documentation may consist of a comprehensive evaluation; a relevant history; standardized test data from appropriate evaluation instruments; or a written statement describing the applicant's disability, impairment, areas of limitation, effects on activities of daily living, and testing accommodation needs. Self-report questionnaires and interviews are generally insufficient on their own.

F. Bar Examination and the Multistate Professional Responsibility Exam

Students with disabilities are encouraged to meet with the Accessibility Office at least one year before taking the Multistate Professional Responsibility Exam (MPRE) or bar examination to discuss the accommodation request process. Information about how to contact bar examiners in all states is available in the law library, the Registrar's Office, the Accessibility Office, or online at <http://www.ncbex.org>. Many state boards of bar examiners will request that the Law School provide information on accommodations received during Law School. The Accessibility Office will provide that information after receiving a written release from the student and will normally be provided within 10 working days after receipt of the written release.

The National Conference of Bar Examiners and each state bar make an independent determination regarding the approval of exam accommodations. Southwestern's approval of exam accommodations does not guarantee that these other organizations will approve the same or any accommodations, and vice versa.

G. Temporary Accommodations

Students seeking accommodations for a temporary disability should provide documentation from a qualified healthcare provider that verifies the student's condition and expected duration and recommends appropriate accommodations. If the initial documentation is insufficient to fully determine the nature of the disability or the appropriate accommodations, the Law School may ask for additional information. The cost of obtaining the initial verification and any further assessments will be the student's responsibility. The documentation should reflect the student's current condition and be no older than 60 days.

H. Pregnancy and Pregnancy-Related Accommodations

The Law School does not discriminate based on pregnancy or related conditions. Pregnancy-related conditions include childbirth, termination of pregnancy, and lactation. Pregnancy-related conditions also include medical conditions and recovery related to pregnancy, childbirth, termination of pregnancy, or lactation. The Law School will not require a student to take a leave of absence, withdraw from the Law School, or limit the student's legal studies.

Southwestern will provide individualized, reasonable accommodations to pregnant

students so they may complete their education program. Reasonable accommodations may include but are not limited to allowing the student to make up tests and assignments that are missed for pregnancy-related reasons, approving a leave of absence, providing a clean and private space for lactation, etc. Reasonable accommodation will also include allowing medically necessary absences.

When a student informs a Southwestern employee of their pregnancy or pregnancy-related condition, the employee is required to share the Title IX Coordinator's contact information and inform the student that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the education program or activity.

I. Privacy and Confidentiality of Records

Documentation of a student's disability is maintained separately from the student's general academic record. Southwestern treats all information related to a disability as confidential. Southwestern discloses that information only to school employees with a legitimate education interest, consistent with Southwestern's Student Records Policy – FERPA and applicable state and federal law. Law School employees or volunteers apprised of a student's disability are advised that such information is confidential. Documentation related to a student's disability will be retained for the duration of a student's time at Southwestern and is subject to being destroyed five years after the end of the academic term in which the student no longer attends Southwestern. Students are advised to retain copies of all disability-related documentation submitted to the Accessibility Office since access to this documentation is not guaranteed upon a student's graduation, dismissal, or withdrawal.

J. Academic Dismissal and Readmission

Students who are academically disqualified sometimes raise a disability as the basis for academic difficulty. While this basis may sometimes affect the decision for readmission, it is the student's responsibility to explain why the disability was not previously disclosed to the Accessibility Office. If it was disclosed, the student may clarify why accommodations were not requested, or if accommodations were provided, why they were insufficient.

K. Grievances

Students who request accommodations and believe that reasonable accommodations have been impermissibly denied should bring this matter to the attention of the Associate Dean for Student Services. The Associate Dean for Student Services will try to resolve the matter. Students unsatisfied with the resolution should bring the matter to the attention of the Vice Dean in charge of academics. If the matter cannot be resolved informally, or if the student is unsatisfied with the resolution, the student may file a written grievance with the Dean.

Upon receiving the grievance, the Dean will appoint three full-time faculty members to constitute a grievance committee. The committee will develop its own procedures, provide an opportunity to the student to present the grievance in writing or in person (including via Zoom), determine whether the grievance has merit in relation to this

policy, and provide a written report to the Dean. The Dean's decision will be final.

Students who believe they have been discriminated against because of their disability, pregnancy, or pregnancy-related condition should report the matter to the Diversity, Equity, and Inclusion Office and consult the Policy to Prevent Discrimination, Harassment, and Retaliation and the Sexual Misconduct Policy.

L. Additional Resources

ABA Commission on Lawyer Assistance Programs

https://www.americanbar.org/groups/lawyer_assistance.html

ABA Commission on Disability Rights

E-mail: cdr@americanbar.org

<https://www.americanbar.org/groups/diversity/disabilityrights/>

American Counsel of the Blind

1703 North Beauregard Street Suite 420

Alexandria, VA 22311

(800) 424-8666 (voice)

E-mail: info@acb.org

<http://www.acb.org/>

Association on Higher Education and Disability

107 Commerce Center Drive, Suite 204

Huntersville, NC 28078

(704) 947-7779 (voice/TTY)

E-mail: ahead@ahead.org

<https://www.ahead.org/>

Braille Institute of America

741 North Vermont Avenue

Los Angeles, CA 90029

(323) 663-1111 (voice)

E-mail: la@brailleinstitute.org

<http://www.brailleinstitute.org/>

California Department of Rehabilitation

Vocational Rehabilitation Services

Greater Los Angeles District

3333 Wilshire Boulevard, Suite 200

Los Angeles, CA 90010-4101

(213) 736-3904 (voice)

(844) 729-2800 (TTY)

<https://www.dor.ca.gov/>

National Alliance on Mental Illness (NAMI)
3803 North Fairfax Drive Suite 100
Arlington, VA 22203
(703) 524-7600 (voice)
(800) 950-6264 (helpline)
E-mail: info@nami.org
<https://www.nami.org/>

M. Policy Revisions

Southwestern reserves the right to change or modify any aspect of this policy at any time, with or without prior notice.

Appendix A: Standards for the Study of Law

To help applicants for admission and current students understand the rigor of Southwestern's academic programs and the minimum essential skills and abilities needed for successful completion, the Law School has developed standards for successful law study. These standards are based in part on the ABA Task Force on Law Schools and the Profession, *Legal Education and Professional Development—An Education Continuum* (1992) (often referred to as the "MacCrate Report" in honor of the chair of the task force), Southwestern's Learning Outcomes, and the American Bar Association's Standards for Approval of Law Schools.

Intellectual—Conceptual and Integrative Skills: A student must be able to recall and analyze complex factual information, integrate this information with complex legal theories, and apply to those facts the substantive legal principles that will control the result in a particular case. This form of analytical ability involves the ability to recognize and identify the legal issues that are implicated by specific facts, the ability to sort material facts from immaterial facts, the ability to recognize and evaluate competing legal theories that might apply to the facts, and the use of sound and logical legal reasoning in applying legal principles to material facts to reach a proper result. It also involves the ability to recognize when different legal analysis might lead to a different but logically supportable result. The student must be able to perform legal research. A student must be capable of achieving the designated [learning outcomes](#) for their program.

Effective Communication Skills: A student must be able to organize ideas and express them with a high degree of organization, clarity, precision, and persuasive force. A student must demonstrate ability with the English language and commitment to writing well, including appropriate vocabulary, grammar, syntax, spelling, and punctuation. A student must be able to memorialize and organize information in an accessible form. A student must be able to communicate candidly and civilly with others. A student must be honest in advocating a particular result and should not misrepresent facts or the content of any legal principle upon which the student relies.

Behavioral and Social Attributes: A student must possess the emotional health required to fully utilize their abilities and possess the interpersonal skills to work with others. The student must possess the ability to

- comply with requirements of applicable federal, state, and local laws, regulations, statutes, and applicable orders of a court or tribunal;
- comply with the ethical norms of the profession as expressed in the Code of Professional Responsibility and the ABA Model Rules of Professional Conduct, including the avoidance of acts that are illegal, dishonest, fraudulent, or deceitful;
- avoid acts that exhibit disregard for the rights or welfare of others;
- avoid acts of self-harm or violence against others;
- use honest and good judgment in financial dealings on behalf of oneself and others; and
- act diligently and reliably in fulfilling one's obligations to others.

Attendance and Participation: A student must be able to have regular and punctual class attendance and participate in class discussions.

Time Management: A student must possess the ability to comply with deadlines and time constraints and prioritize and manage multiple tasks.

Participating in Required Administrative Processes: If issues arise regarding the student's behavior, they must possess the emotional health required to participate in meetings and any required investigation regarding the student's behavior.